

IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
3:05cr390

UNITED STATES OF AMERICA

vs.

RECCO SALAVES MEEKS (9)

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ORDER

THIS MATTER is before the Court upon letter of the defendant, pro se, requesting that the Court give him credit for time served in state custody. (Doc. No. 365).

The Court previously adjusted the defendant's mandatory minimum sentence and ordered it to be served concurrently with a state sentence to provide the requested relief. (Doc. No. 285: Order; Doc. No. 286: Judgment). The defendant did not appeal that decision and then filed the instant letter more than a year after judgment was entered complaining that the amount of credit was insufficient. The Court is without jurisdiction to alter the sentence. Fed. R. Crim. P. 35(a). Having considered the defendant's arguments and the entire record in this case, the Court would not exercise its discretion to alter the sentence if such discretion existed..

IT IS, THEREFORE, ORDERED that the defendant's request is **DENIED**.

The Clerk is directed to certify copies of this order to the defendant, counsel for the defendant, and to the United States Attorney.

Signed: October 9, 2009



Robert J. Conrad, Jr.
Chief United States District Judge

